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EXAMINER

LEE, Y MY QUACH

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 02/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/726,239

Applicant(s)

Munro et al.

Examiner

Y Quach Lee

Group Art Unit

2875

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE Three (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

☒ Responsive to communication(s) filed on 11/29/2000

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1 to 34 is/are pending in the application.
- Of the above claim(s) 13 to 15, 19 to 26 and 34 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1 to 12, 16 to 18 and 27 to 33 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☒ The drawing(s) filed on 11/29/2000 is/are objected to by the Examiner
- ☒ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

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DETAILED ACTION***Response to Arguments***

1. Applicant's arguments filed November 21, 2002 have been fully considered. The newly submitted drawing figures 12 to 15 are noted. However, it would appear that the drawing figures 12 to 13 and claims 1, 27, 31 and ... as well as the specification do not correlate with one another. For instance, it would appear that the drawing figure 12 shows a plurality of prism arrays such as a first prism array including a plurality of linear prisms that periodically alternate orientation along a first axis (figure 12B) and a second prism array including a second plurality of linear prisms that periodically alternate orientation along a second axis (figure 12C). Drawing figure 12A does **not** show that **both** of the first prism array and the second prism array (a plurality of prism arrays) **periodically alternate** orientation along an axis or a light guide but rather drawing figure 12A show that the second prism array overlie with the first prism array or perpendicular to the longitudinal axes of the linear prisms of the first prism array. Drawing figure 13 show the same features as drawing figure 12 with the exception of having an additional prism array such as a third prism array including a plurality of linear prisms that periodically alternation along a third axis which is offset at 60 degrees with respect to the second axis. Drawing figure 13A does **not** show that **all three** of the prism arrays such as the first prism array, the second prism array and the third prism array (a plurality of prism arrays) **periodically alternate** orientation along an axis or a light guide but rather drawing figure 13A show that the second prism array and the third prism array overlie with the first prism array or perpendicular to the longitudinal axes of the linear prisms of the first prism array. However, both the description in the specification and claims 1, 27 and 31 recite a plurality of prism arrays periodically alternate along the light guide or a first axis, and the dependent claims of the respective claims 1, 27 and 31 recite that the (same) prism arrays including peaks and valleys along a second axis and a third axis different from the first axis. In view of these none correlations between the drawings, specification and claims, objection and/or rejection to the claims, specification and drawings follow. Note that claims 25 and 26 originally depended upon claim 1, claims 25 and 26 now depend upon claim 19. Since claim 19 was withdrawn from further consideration

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pursuant to 37 CFR 1.142(b) as being drawn to a non-elected invention, claims 25 and 26 are also withdrawn from further consideration.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the features “a plurality of prism arrays periodically alternate along a light guide” as claimed in claim 1, “the prism arrays (note: the same prism arrays?) include peaks and valleys that periodically alternate orientation along a second axis different from the first axis” as claimed in claim 5, “the prism arrays periodically alternating orientation along a first axis” as claimed in claim 27, “the prism arrays (note: the same prism arrays?) include peaks and valleys that periodically alternate orientation along a second axis” as claimed in claim 28, “the prism arrays (note: the same prism arrays?) include peaks and valleys that periodically alternate orientation along a third axis” as claimed in claim 29 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification is objected to under 35 U.S.C. 112, first paragraph, as failing to provide an enabling disclosure of the invention. On pages 2 to 4 and 10, the descriptions of “a plurality of tilted prism arrays periodically alternate orientation along a first axis”, “the prism arrays alternate or flip flop in orientation”, “the tilted prism arrays alternate orientation along one or more axes”, “the prism arrays include peaks and valleys that periodically alternate orientation along a second axis different than the first axis”, “the plurality of prism arrays include peaks and valleys that periodically alternate orientation along a third axis which is different than the second axis”, and ... are not understood with respect to drawing figures 12 and 13 and in view of the explanation as set forth above. Appropriate correction is required.

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Claim Rejections - 35 USC § 112

4. Claims 1 to 12, 16 to 18 and 27 to 33 are rejected under 35 U.S.C. 112, first paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, it is not clear how can the plurality of prism arrays **periodically alternate** orientation along the light guide? In view of drawing figures 12 and 13, it would appear that each of the prism arrays periodically alternates orientation along the light guide, and the prism arrays overlies with one another.

In claim 5, it is not clear how can the (same) prism arrays include peaks and valley along a second axis different from the first axis since the (same) prism arrays include peaks and valleys are already along a first axis as recited in claim 4.

In claim 8, it is not clear how can the (same) prism arrays include peaks and valley along a third axis that is different from the second axis and the first axis since the (same) prism arrays include peaks and valleys are along a first axis as recited in claim 4 and the (same) prism arrays include peaks and valleys are along a second axis different than the first axis as recited in claim 5?

In claim 27, it is not clear how can the prism arrays **periodically alternating** orientation along a first axis? In view of drawing figures 12 and 13, it would appear that each of the prism arrays periodically alternates orientation along a first axis.

In claim 28, it is not clear how can the (same) prism arrays include peaks and valleys that periodically alternate orientation along a second axis since the (same) prism arrays periodically alternate along a first axis as recited in claim 27?

In claim 29, it is not clear how can the (same) prism arrays include peaks and valley that periodically alternate orientation along a third axis since the (same) prism arrays include peaks and valleys that periodically alternate along a second axis as recited in claim 28 and the (same) prism arrays periodically alternate orientation along a first axis as recited in claim 27?

In claim 31, it is not clear how can a plurality of titled prism arrays **periodically alternate** orientation along a first axis? In view of drawing figures 12 and 13, it would appear that each of the prism arrays periodically alternates orientation along a first axis.

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In claim 32, it is not clear how can the (same) prism arrays periodically alternate along a second axis since the (same) prism arrays periodically alternate along a first axis as recited in claim 27?

In claim 33, it is not clear how can the (same) prism arrays include peaks and valleys along a third axis that is different from the second axis and the first axis since the (same) prism arrays periodically alternate along a first axis as recited in claim 31 and the (same) prism arrays periodically alternate along a second axis different than the first axis as recited in claim 32?

Claims 2 to 4, 6, 7, 9 to 12 and 16 to 18 depend on rejected claim 1 and as such are also rejected.

Claim 30 depends on rejected claim 27 and as such is also rejected.

5. Claims 1 to 12, 16 to 18 and 27 to 33 contain allowable subject matter if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y Quach Lee whose telephone number is 703-308-1939. The examiner can normally be reached on Tuesday and Thursday from 8:30 am to 4:30 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Y. Q.
February 20, 2003



Y Quach Lee
Patent Examiner
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